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LETTER DATED 27 MAY 1993 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the information on the effects of sanctions on the Federal Republic of Yugoslavia in the fields officially exempted from the sanctions.

I should be grateful if this letter and its annex were circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Chargé d'affaires a.i.

Annex

Information on the effects of sanctions in the fields officially exempted from the sanctions

In the context of resolving the crisis in the territory of the former Socialist Federal Republic of Yugoslavia, the United Nations Security Council has adopted a number of resolutions, including resolutions 757 (1992) and 787 (1992), by which it imposed sanctions against the Federal Republic of Yugoslavia.

Resolution 757 (1992) of 30 May 1992 prohibits any trade between the States Members of the United Nations and the Federal Republic of Yugoslavia, use of Yugoslav vessels and aircraft, business activities with the Federal Republic of Yugoslavia and all financial transactions with persons and entities in the Federal Republic of Yugoslavia and freezes all Yugoslav assets in foreign banks. Furthermore, Yugoslav aircraft are denied overflight and landing permits, the level of the staff in the Yugoslav diplomatic and consular missions has been reduced, Yugoslav representatives are prohibited to participate in sporting events abroad and scientific, technical and cultural cooperation has been suspended. Only the import to the Federal Republic of Yugoslavia of foodstuffs, medicine and basic humanitarian aid is exempted from the sanctions.

Resolution 787 (1992) of 16 November 1992 tightened further the sanctions imposed by resolution 757 (1992). Transshipment of important commodities and products (crude oil and petroleum derivatives, coal, energy-related equipment, iron, steel and other metals, chemicals, rubber, tyres, vehicles, aircraft and motors of all types) through the territory of the Federal Republic of Yugoslavia has been prohibited to ensure that they are not diverted to the Federal Republic of Yugoslavia. However, a possibility is provided that the transshipment of the above commodities and products can be realized on a case-by-case basis only when indispensable with specific authorization of the Committee established by resolution 724 (1991). At the same time, the control of vessels in the Yugoslav ports and on the Danube has been increased.

The Sanctions Committee granting approval for exports of products to the Federal Republic of Yugoslavia which are exempted from the sanctions comprises United Nations Security Council member States in New York.

In the meantime, the Security Council adopted its resolution 820 (1993) tightening further sanctions unprecedented in the history of the United Nations.

Effects

In the conditions of the already grave economic crisis that affected our country, the imposition of the sanctions has aggravated even further the situation and threatened the economic, health and social situation and the lives of an increasing number of people. Resolution 757 (1992), by imposing the economic blockade, violates fundamental human rights and freedoms by creating such living conditions for the population of the Federal Republic of Yugoslavia in which it is frequently impossible to meet basic human needs. For example, by

suspending all financial and monetary transactions with the Federal Republic of Yugoslavia, the payment of foreign retirement benefits to their beneficiaries in the territory of the Federal Republic of Yugoslavia has been suspended in direct contravention of article 9 of the International Covenant on Economic, Social and Cultural Rights, which guarantees the right of every one to social benefits and insurance.

Despite two resolutions of the World Health Assembly providing that health and health services can never be subject to sanctions (resolutions WHA 41.31 and WHA 42.24), Yugoslavia has been facing a dramatic situation in the last few months owing to the failure to respect these two resolutions. Lack of medicine and spare parts for medical equipment, coupled with the general decline in the living standard, has impaired the health of the population. Health services in the Federal Republic of Yugoslavia are much dependent (95 per cent) on the import of medicine, ingredients necessary for their production, medical and bandage supplies, equipment and spare parts and all other products for medical purposes. Owing to the sanctions and the unnecessarily long procedure for granting import approvals, the production of medicine in the Federal Republic of Yugoslavia has almost come to a halt. Presently, there is a shortage of over 50 per cent of drugs necessary for primary health protection: antibiotics, cardiotonics, diuretics, antihypertension preparations, medicine in ampoules, anaesthetics, blood transfusion equipment, etc.

The life of about 5,000 patients dependent on dialysis is in danger since the available dialysis reserves will be sufficient for less than one month. Several thousand people having malignant diseases are facing the same destiny. The cases of tuberculosis are increasing, particularly among the refugees coming from the former Bosnia-Herzegovina who are collectively accommodated in the Federal Republic of Yugoslavia. At Yugoslav psychiatric clinics (with about 3,000 patients) the mortality rate is dramatically increasing since there are no tranquilizers and the obsolete method of tying people to beds and administering electric shocks are used. Diagnostic facilities for daily application and medical equipment that are being imported and which can no longer be maintained regularly by their foreign suppliers, such as nuclear magnetic resonance, computerized tomography, laser equipment, etc. constitute a particular problem. The lives of patients on long waiting lists for surgeries since the summer of 1992 are also endangered.

A particular problem lies in the procedure for approving the exports of medicine and spare parts for medical equipment since some countries have created insurmountable obstacles, which is in flagrant violation of the principles of humanity. Let us take the example of the approval for the import of a modern German-made scanner for cancer detection in children, which has a small number of parts made in the United States of America. The United States Government insisted in the Committee established by resolution 724 (1991) that separate applications for approval should be submitted for each part, although the value of some of them is only several hundred dollars, which extends the procedure to several months, although the equipment is intended for the treatment of children rather than for war.

According to statements by officials of the Food and Agriculture Organization of the United Nations (FAO), 15 per cent of children in the Federal

Republic of Yugoslavia are undernourished, while the diet of one third of the households is poor in vitamins.

Infections are spreading in our hospitals and reserves of drinking-water purifiers (natrium chloride) in towns are almost exhausted. Resulting epidemics could devastate whole settlements and towns.

An increased mortality rate is evident and, although all statistical data are not yet available, a characteristic example is the Emergency Centre of the University Clinic Centre in Belgrade where, in 1991, 238 patients with polytraumas were treated with the mortality rate of 26.9 per cent, and, in 1992, 223 patients with the mortality rate of 46.06 per cent, owing to the lack of emergency diagnosis and treatment facilities.

It is well known that, besides civilians, a large number of the wounded from the territory of the former Socialist Federal Republic of Yugoslavia are being treated also in military medical institutions of the Federal Republic of Yugoslavia which, though under a great burden, have been lacking medical equipment and medicine as a result of the sanctions prohibiting their import. As a consequence, the daily loss is over $100,000, i.e. over $30 million for 10 months.

In the field of agriculture, although food production is exempted from sanctions, the import of 37.5 million cubic metres of natural gas necessary for the production of fertilizers has not been approved, which will considerably and adversely affect planting, and wheat production will be reduced by about 500,000 tons, causing a loss of $75 to $80 million and a dangerous shortage of food for the population.

Although humanitarian aid is exempted from the sanctions, their imposition very much aggravates, complicates and slows down its normal flow. The Yugoslav Red Cross is a witness to a long and complex procedure to obtain approval from the Committee established by resolution 724 (1991). Delivery of the largest part of humanitarian aid through the International Federation of Red Cross and Red Crescent Societies creates great problems to donor societies, since they should obtain the necessary approvals themselves, while delivery of aid to other parts of former Yugoslavia presents almost no difficulty with respect to the procedure and delivery terms. Humanitarian relief deliveries have been frequently held back at border crossings, particularly with Hungary, so that sometimes the aid is being reduced and delayed; frequently, it never reaches its destination or is sent back to its sender, although it is obvious that humanitarian aid is in question.

The Serbian Orthodox Church has been facing a similar situation. It has been prevented from importing items necessary for performing church services (candles, incense) which, practically, brings into question the normal church activity in the areas inhabited by Orthodox Serbs. The suspension of air and maritime traffic resulted in the cessation of a rapid and effective flow of humanitarian aid organized by the Orthodox churches in European and overseas countries. Humanitarian aid, drugs, foodstuffs, clothes, etc. sent through the Board of the Serbian Orthodox Church to the people and refugees affected by war are invaluable. However, its efficiency is threatened because it is impossible for it to reach the most affected areas for lack of fuel.

Because of the blockade at border crossings, the humanitarian aid sent to the Church is frequently and without any reason returned to the sender or is lost, thus never reaching its destination.

Consequently, hospitals treating the wounded and other patients are deprived of indispensable medicine, infants of their food and items of personal hygiene and many refugees cannot meet their basic needs.

Transport of humanitarian aid is much more expensive since it does not reach Yugoslavia, and the Serbian Orthodox Church is particularly affected by the suspension of the Yugoslav Airlines flights, which transported the aid free of charge.

Educational institutions of the Serbian Orthodox Church, seminaries and the Theological School, in the absence of foreign aid, are facing an unenviable situation and have been forced to reduce their capacities. For the same reason, the construction of churches and restoration of monasteries as cultural and historical monuments has stopped. The damage suffered by the Serbian Orthodox Church alone, because of the sanctions, is evaluated at over $100 million.

The greatest burden of the inhumanely imposed sanctions and all their effects are borne by the population of the Federal Republic of Yugoslavia and the over 600,000 refugees it has received. If such a situation continues, they will face the gravest economic, health and social problems that will have to be solved by future generations. According to the appeal of the United Nations inter-agency body, $150 million are necessary for the April-December 1993 period as aid to refugees in the Federal Republic of Yugoslavia in order to alleviate their plight at least to some extent.

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France, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Reaffirming in particular its resolutions 819 (1993) of 16 April 1993 and 824 (1993) of 6 May 1993, which demanded that certain towns and their surrounding areas in the Republic of Bosnia and Herzegovina should be treated as safe areas,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina and the responsibility of the Security Council in this regard,

Condemning military attacks, and actions that do not respect the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina, which, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Reiterating its alarm at the grave and intolerable situation in the Republic of Bosnia and Herzegovina arising from serious violations of international humanitarian law,

Reaffirming once again that any taking of territory by force or any practice of "ethnic cleansing" is unlawful and totally unacceptable,

Commending the Government of the Republic of Bosnia and Herzegovina and the Bosnian Croat party for having signed the Vance-Owen Plan,

Gravely concerned at the persistent refusal of the Bosnian Serb party to accept the Vance-Owen Plan and calling upon that party to accept the Peace Plan for the Republic of Bosnia and Herzegovina in full,

Deeply concerned by the continuing armed hostilities in the territory of the Republic of Bosnia and Herzegovina which run totally counter to the Peace Plan,

Alarmed by the resulting plight of the civilian population in the territory of the Republic of Bosnia and Herzegovina, in particular in Sarajevo, Bihac, Srebrenica, Gorazde, Tuzla and Zepa,

Condemning the obstruction, primarily by the Bosnian Serb party, of the delivery of humanitarian assistance,

Determined to ensure the protection of the civilian population in safe areas and to promote a lasting political solution,

Confirming the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, established by resolutions 781 (1992) of 9 October 1992, 786 (1992) of 10 November 1992 and 816 (1993) of 31 March 1993,

Affirming that the concept of safe areas in the Republic of Bosnia and Herzegovina as contained in resolutions 819 (1993) and 824 (1993) was adopted to respond to an emergency situation, and noting that the concept proposed by France in document S/25800 and by others could make a valuable contribution and should not in any way be taken as an end in itself, but as a part of the Vance-Owen process and as a first step towards a just and lasting political solution,

Convinced that treating the towns and surrounding areas referred to above as safe areas will contribute to the early implementation of that objective,

Stressing that the lasting solution to the conflict in the Republic of Bosnia and Herzegovina must be based on the following principles: immediate and complete cessation of hostilities; withdrawal from territories seized by the use of force and "ethnic cleansing"; reversal of the consequences of "ethnic cleansing" and recognition of the right of all refugees to return to their homes; and respect for the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Noting also the crucial work being done throughout the Republic of Bosnia and Herzegovina by the United Nations Protection Force (UNPROFOR), and the importance of such work continuing,

Determining that the situation in the Republic of Bosnia and Herzegovina continues to be a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Calls for the full and immediate implementation of all its relevant resolutions;

2. Commends the Peace Plan for the Republic of Bosnia and Herzegovina as contained in document S/25479;

3. Reaffirms the unacceptability of the acquisition of territory by the use of force and the need to restore the full sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina;

4. Decides to ensure full respect for the safe areas referred to in resolution 824 (1993);

5. Decides to extend to that end the mandate of UNPROFOR in order to enable it, in the safe areas referred to in resolution 824 (1993), to deter attacks against the safe areas, to monitor the cease-fire, to promote the withdrawal of military or paramilitary units other than those of the Government of the Republic of Bosnia and Herzegovina and to occupy some key points on the ground, in addition to participating in the delivery of humanitarian relief to the population as provided for in resolution 776 (1992) of 14 September 1992;

6. Affirms that these safe areas are a temporary measure and that the primary objective remains to reverse the consequences of the use of force and to allow all persons displaced from their homes in the Republic of Bosnia and Herzegovina to return to their homes in peace, beginning, inter alia, with the prompt implementation of the provisions of the Vance-Owen Plan in areas where those have been agreed by the parties directly concerned;

7. Requests the Secretary-General, in consultation, inter alia, with the Governments of the Member States contributing forces to UNPROFOR:

(a) To make the adjustments or reinforcement of UNPROFOR which might be required by the implementation of the present resolution, and to consider assigning UNPROFOR elements in support of the elements entrusted with protection of safe areas, with the agreement of the Governments contributing forces;

(b) To direct the UNPROFOR Force Commander to redeploy to the extent possible the forces under his command in the Republic of Bosnia and Herzegovina;

8. Calls upon Member States to contribute forces, including logistic support, to facilitate the implementation of the provisions regarding the safe areas, expresses its gratitude to Member States already providing forces for that purpose and invites the Secretary-General to seek additional contingents from other Member States;

9. Authorizes UNPROFOR, in addition to the mandate defined in resolutions 770 (1992) of 13 August 1992 and 776 (1992), in carrying out the mandate defined in paragraph 5 above, acting in self-defence, to take the necessary measures, including the use of force, in reply to bombardments against the safe areas by any of the parties or to armed incursion into them or in the event of any deliberate obstruction in or around those areas to the freedom of movement of UNPROFOR or of protected humanitarian convoys;

10. Decides that, notwithstanding paragraph 1 of resolution 816 (1993), Member States, acting nationally or through regional organizations or arrangements, may take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures, through the use of air power, in and around the safe areas in the Republic of Bosnia and Herzegovina, to support UNPROFOR in the performance of its mandate set out in paragraphs 5 and 9 above;

11. Requests the Member States concerned, the Secretary-General and UNPROFOR to coordinate closely on the measures they are taking to implement paragraph 10 above and to report to the Council through the Secretary-General;

12. Invites the Secretary-General to report to the Council, for decision, if possible within seven days of the adoption of the present resolution, on the modalities of its implementation, including its financial implications;

13. Further invites the Secretary-General to submit to the Council, not later than two months after the adoption of the present resolution, a report on the implementation of and compliance with the present resolution;

14. Emphasizes that it will keep open other options for new and tougher measures, none of which is prejudged or excluded from consideration;

15. Decides to remain actively seized of the matter, and undertakes to take prompt action, as required.